

FILED

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

DEC 20 2013

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

DERWIN LONGMIRE,

Plaintiff - Appellant,

v.

CITY OF OAKLAND; et al.,

Defendants - Appellees.

No. 11-17870

D.C. No. 3:10-cv-01465-JSW  
Northern District of California,  
San Francisco

ORDER

Before: HAWKINS, N.R. SMITH, and NGUYEN, Circuit Judges.

Submission of this case is vacated pending the California Court of Appeal's decision in *Longmire v. City of Oakland, et al.*, A137344. The parties are ordered to file a joint status report every 45 days or within 7 days of the state court's ruling, whichever is earlier.